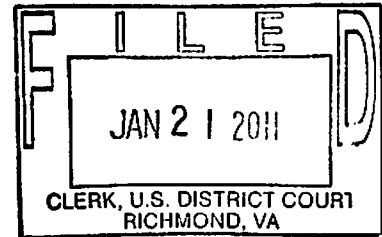


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



JOSE ALBERTO MARTINEZ-DOMINGUEZ,

Petitioner,

v.

Civil Action No. 3:10cv760

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM OPINION

Petitioner, proceeding *pro se*, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. By Memorandum Order on November 23, 2010, the Court directed Petitioner to complete and return, within fifteen days of the date of entry thereof, an affidavit in support of his request to proceed or pay the \$5.00 filing fee. More than fifteen (15) days have passed and Petitioner has not returned the required *in forma pauperis* affidavit or paid the \$5.00 filing fee. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion to Petitioner.

An appropriate Order shall issue.

Date: 1-19-11
Richmond, Virginia

/s/
James R. Spencer
Chief United States District Judge